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# State of Utah

DEPARTMENT OF NATURAL RESOURCES  
DIVISION OF OIL, GAS AND MINING

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December 2, 1992

TO: Minerals File

FROM: Holland Shepherd, Senior Reclamation Specialist *HWS*

RE: Site Inspection, Pagano Clay Project, M/015/062, Emery County, Utah

Date of Inspection: November 30, 1992  
Time of Inspection: 3:00 - 5:00 p.m.  
Conditions: Cold, clear  
Participants: Hank Reguloski, East Carbon Developers; and Holland Shepherd, DOGM

The Pagano Clay Project is currently under a Notice of Noncompliance and is in the process of being reclaimed. My inspection today was a follow up to the commitments that the operator has made regarding the resolution of the Notice of Noncompliance.

The operator has regraded and ripped the area to be reclaimed at the mine site. This includes two quarry areas, some of the extraneous roads that were associated with these quarries and portions of the main haul road entering the site. The operator is getting ready to apply mulch, fertilizer and seed to the site. One of the reasons for my inspection was that the operator was interested in gaining some advise about the application of the seed, the mulch and the fertilizer. The seed application should be initiated by the end of this week or the beginning of next week, depending on weather conditions.

The operator is also, in conjunction with the reclamation of the mine site, reclaiming some 7-8 miles of county road that crosses BLM land. The BLM has found the operator in violation of unnecessary damage or disturbance to areas of the road when the road was expanded. The road was expanded from about 25 feet to 60-80 feet in places. The operator has scarified strips approximately 15 feet wide on either side of the road for about 7 miles from the main highway, Hwy 6 and 50, all the way to the mine site. The operator is negotiating with the BLM, regarding the application of fertilizer, seed and mulch.

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Because topsoil was pushed back over the areas associated with the road reclamation, this may be enough without mulch to achieve proper reclamation. However, at the mine site, because the material is for the most part waste rock, the Division is asking the operator to mulch the mine site disturbance. A portion of the haul road, about 1/2 mile in length, runs across state land. This was also expanded, by the operator at the same time the road on BLM ground was expanded. This road is being reclaimed in the same fashion as the BLM road.

As discussed earlier with Harold Marston and myself, we agreed that the haul road accessing the site would not be completely reclaimed because of future use of the site. However, it would be reclaimed to a narrower width and left stable (water bars to be included). It is privately owned and Mr. Marston indicated that he would like to keep that road open for hunting or herding purposes. Unfortunately, an extra portion of the road has been left unreclaimed. This, I see no reason to leave unreclaimed. It involves the side slopes of a quarried area and runs within about 30-40 feet of the Price River. It is about 200 feet in length and is found in a riparian-shrub transition zone. I will indicate to the operator that this area also needs to be reclaimed as part of the package and in meeting the Noncompliance requirement.

Mr. Reguloski indicated to me that he will send me a break down of the different alternatives he is looking at regarding the seed, mulch, fertilizer application. This includes the price as quoted by the consultant WRR Consulting Enterprises, a local reclamation company.

I indicated to Mr. Reguloski that my choice would involve mulching with hay, 2,000 lb/per acre, drill seed application and fertilization; in three separate steps. One option includes hydromulching. This probably wouldn't be as important this time of year as it would at a dryer time of the year, because of the water benefit.

Mr. Reguloski indicated to me that the operator hopes to develop another site somewhere closer to Hwy 6 and 50 in the near future. It would be south and east of the present mine site. Apparently, the present mine site has caused some problems, not only with the violations received, but with the distance required for hauling the material to the site of application and the problems with maintaining a dirt road for that distance.

We looked at the portion of the site that requires a little different reclamation approach because of its riparian nature. This site has already been ripped. The riprap is in place, regrading is completed, seed application needs to be done. I recommended a specific seed to the operator, which the operator is going to apply. I

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also, indicated that gathering local, tall reed grass seed from vegetation already existing on site and scattering it around on the disturbed area would be very beneficial to the reclamation. The operator is also looking into planting willow cuttings along the disturbed river embankment. We discussed the best time of the year to apply willow cuttings, and agreed to wait until spring to do the planting. Mr. Reguloski indicated to me that Water Rights had recently inspected this portion of the site and were in concert with what has been accomplished this far.

**Summary and Recommendations:**

A copy of this memo should be sent to the operator along with a letter reminding Mr. Marston about the surety that he needs to post by December 16, 1992. The other road area that has not been addressed for reclamation yet, should be included in this correspondence and a reminder of letting the Division know when the final reclamation or seeding is being done or when it is complete. This needs to be followed up by an inspection of the site.

jb

cc: Harold Marston, Operator  
Gary Bagley, State Lands  
Mark Page, Division of Water Rights, Price  
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